

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHRISTINA McCUNE,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CASE NO. 13-cv-05021 RBL

REPORT AND RECOMMENDATION  
ON STIPULATED MOTION FOR  
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration (ECF No. 24).

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

On remand to the Commissioner, based on the parties' stipulation, this Court recommends that the Appeals Council direct the Administrative Law Judge ("ALJ") to: (1) conduct a new hearing and issue a new decision; (2) weigh the medical opinions of record, specifically those of Peggy Hosford, M.D., articulating the weight assigned to the opinions and the reasons for that weight; (3) consider plaintiff's mental impairments pursuant to the technique outlined in 20 C.F.R. § 404.1520a and § 416.920a, as well as the alleged impairments of chronic fatigue syndrome and fibromyalgia pursuant to Social Security Rulings 99-2 and 12-2p, respectively; (4) reassess plaintiff's residual functional capacity throughout the period at issue, beginning as of plaintiff's alleged onset date of May 1, 2000; and (5) obtain vocational expert evidence at step five of the sequential evaluation, if necessary.

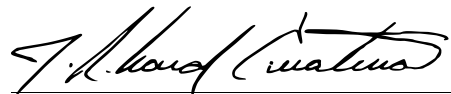
This case shall be reversed and remanded to the ALJ on the above grounds pursuant to sentence four of 42 U.S.C. § 405(g).

Following proper presentation, this Court will consider plaintiff's application for costs and attorney's fees pursuant to 28 U.S.C. § 2412(d).

Given the facts and the parties' stipulation, the Court recommends that the District Judge immediately approve this Report and Recommendation and order that the case be **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

JUDGMENT shall be entered for plaintiff, and this case closed.

Dated this 18 day of November, 2013.



J. Richard Creatura  
United States Magistrate Judge